



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/046,124

12/28/2001

Paul Bourguine

1394-01

4810

35811 7590 10/30/2008  
IP GROUP OF DLA PIPER US LLP  
ONE LIBERTY PLACE  
1650 MARKET ST, SUITE 4900  
PHILADELPHIA, PA 19103

EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

10/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments and Amendments***

1. Applicant argues that the recitations in independent claims 1, 7, and 10, make it clear that the claimed methods and device perform the step of storing in memory time-related communications parameters concerning "each failure in the establishment of a communications channel" and "each success in the establishment of a communication channel," therefore, the step of recording each failure in the establishment of a communications channel is simply not taught or otherwise disclosed by US '116 or US '789, and that this means that the combination of US '116 and US '789 is deficient because this combination fails to teach all of the elements of the claimed methods and device.

2. In response to Applicant's argument, Examiner will not address these issues, due to the fact that the limitations, in which Applicant is basing argument on, were added to the claims, after Final rejection, therefore, requiring further consideration and/or search by Examiner.